

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1802 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -MANSI District- KHAGARIA

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Anil Paswan, Son of Sri Juggal Paswan, Resident of Village-Sotari Bharna,
Post-Kanp, Police Station-Saur Bazar, District-Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raja Surendra Mohan, Advocate

For the Opposite Party : Mr. Smt Pushpa Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mansi
P.S Case No. 123 of 2016 registered for the offences punishable
under Sections 406, 506, 34 of the Indian Penal Code.

Allegedly the petitioner took Rs. 5,70,000/- from the
informant and did not return the said amount and gave threats to
lodge false case against the informant.

Submission is of false implication and that informant
has performed marriage with he sister-in-law (*sali*) of the
petitioner and for that the wife of the informant has lodged case
against him also. The informant has given the amount for
purchasing land and constructing house for his second wife Kajal
Kumari who is sister-in-law of the petitioner and not for marriage
purpose. From that amount the land has been purchased and house



has been constructed for Kajal Kumri, but now the informant wants to take back that amount by filing this false case. The petitioner is suffering in custody in this false case since 19.10.2016 and as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the nature of the dispute now, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Mansi P.S. Case No. 123 of 2016 (G.R. No. 1429 of 2016), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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